

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STEPHEN BREAUX, et al.,

Plaintiffs,

v.

ACCREDITED SURETY AND  
CASUALTY COMPANY, et al.,

Defendants.

Case No. 19-cv-00717-JST (DMR)

**ORDER ON JOINT DISCOVERY  
LETTER**

Re: Dkt. No. 204

This is a putative class action brought against several California bail bond agencies, their sureties, several trade associations, and various individuals. On January 5, 2021, the Honorable Jon S. Tigar granted Defendants' joint motion to dismiss in part, and dismissed all but one surety and one individual defendant. [Docket No. 159.] Judge Tigar granted Plaintiffs leave to amend to add allegations relating to the dismissed Defendants, and authorized limited discovery to that end.

Plaintiffs and the dismissed Defendants subsequently filed a joint discovery letter disputing which search terms should be applied to custodial searches. [Docket No. 179.] This court held a hearing on May 13, 2021. [Docket No. 191.] It ordered a sampling protocol by which the parties would "generate a modest but meaningful random sample of documents that will allow them to perform joint quality control checks on Plaintiffs' proposed search terms . . . ." *Id.* Once Plaintiffs reviewed the sample documents, the parties were to meet and confer to further refine the search terms. *Id.*

On July 12, 2021, Plaintiffs and the dismissed Defendants filed this further joint discovery letter on the search term dispute. [Docket No. 204 ("JDL").] The issues in the JDL can be decided without oral argument pursuant to Civil Local Rule 7-1(b). The JDL represents that seventeen of the dismissed Defendants opted to apply Plaintiffs' proposed search terms as-is,

1 instead of using the sampling procedure provided by the court. *Id.* at 1. All but three agreed to  
 2 begin production of responsive documents by the end of July 2021 and to complete production by  
 3 September 10, 2021. *Id.* at 2. Three of the non-sampling Defendants request that the court allow  
 4 them time to further meet and confer with Plaintiffs about a production schedule. However, those  
 5 three Defendants did not provide any reason why they could not follow the same production  
 6 timeline as the other non-sampling Defendants. *Id.* Their request is therefore denied.

7 The remaining eight dismissed Defendants agreed to a sampling protocol consistent with  
 8 the court's order. JDL at 2. Those Defendants and Plaintiffs jointly propose a sampling procedure  
 9 with deadlines, as set forth in Exhibit A to the JDL.

10 Having reviewed the parties' submission, the court orders as follows. All non-sampling  
 11 Defendants shall begin document production by the end of July 2021 and complete production by  
 12 September 10, 2021. The sampling protocol and corresponding deadlines proposed by Plaintiffs  
 13 and the sampling Defendants as set forth in Exhibit A to the JDL are approved and adopted. Any  
 14 further discovery disputes shall be filed promptly, and in accordance with the sampling protocol  
 15 deadline where applicable.

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 19 **IT IS SO ORDERED.**

20 Dated: July 27, 2021

